



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
17763 S. Muskogee Ave.
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Legislation Details (With Text)

File #: 14-028 **Version:** 1 **Name:** CHEROKEE NATION CORPORATION HEALTH DIVIDEND ACT OF 2014
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Title: AN ACT RELATING TO AMENDMENT OF LA-25-11, THE CHEROKEE NATION GENERAL CORPORATION ACT, AS AMENDED BY LA-2-03, LA-4-04, LA-36-05 AND LA-16-96 INCREASING DIVIDENDS, PROVIDING FOR SERVERABILITY AND DECLARING AN EMERGENCY
Sponsors: Cara Cowan Watts, Lee Keener Jr.
Indexes: Dividends, General Corporation Act
Code sections: Title 18 - Corporations
Attachments:

Date	Ver.	Action By	Action	Result
4/14/2014	1	HEALTH COMMITTEE	Approved and Forwarded to Council	Fail

AN ACT RELATING TO AMENDMENT OF LA-25-11, THE CHEROKEE NATION GENERAL CORPORATION ACT, AS AMENDED BY LA-2-03, LA-4-04, LA-36-05 AND LA-16-96 INCREASING DIVIDENDS, PROVIDING FOR SERVERABILITY AND DECLARING AN EMERGENCY
BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This Legislative Act shall be titled as the "Cherokee Nation Corporation Health Dividend Act of 2014" and codified under Title 18 Article 3 Section 18 of the Cherokee Nation Code Annotated ("CNCA").

Section 2. Purpose

The purpose of this Act is to facilitate Contract Health Care Services for Washington, Nowata, Craig, Delaware, Mayes, McIntosh, Wagoner, Muskogee, Ottawa, Tulsa and Rogers Counties to ensure all Cherokee Nation citizens are treated equitably and fairly with access to Contract Health Services including, but not limited to, eyeglasses, dentures, prosthesis, cancer treatments and hearing aids regardless of where they live in the 14-County Jurisdictional Service Area of the Cherokee Nation.

Section 3. Legislative History

L.A. 16-96
L.A. 2-03
L.A. 4-04
L.A. 36-05
L.A. 25-11

Section 4. Substantive Provisions

Article 3, Section 18 of Legislative Act 25-11 is hereby amended so as to read:

18. Those Corporations in which the Cherokee Nation is the sole or majority shareholder, and that are incorporated under Cherokee Nation law, shall issue a monthly cash dividend in the amount of 35% of net income. Five Percent of said dividend will be set aside exclusively for contract health services for Cherokee Nation Citizens, including, but not limited to, eyeglasses, dentures, prosthesis, cancer treatments and hearing aids is conditioned upon CNE and CNB remaining in compliance with the financial covenants of any credit agreement and guaranty. In addition, the Board of Directors of such Corporations will have the discretion to declare any special quarterly dividend that they deem appropriate **and declare the Special Quarterly Dividend to the Tribal Council for the public record at Executive and Finance Committee in writing** . Funds expended under this Section shall be expended to Cherokee Nation citizens who reside ~~anywhere~~ within the fourteen county jurisdictional area **and are not covered by Cherokee Nation Contract Health Services (CNCHS) inpatient and/or outpatient services. Sufficient staff for Cherokee Nation Contract Health Services will be funded, as well, to handle the additional case load. CNCHS will automatically file and appeal on behalf of a patient not covered by CNCHS to expedite CNCHS 5% dividend coverage if denied by outside entity.**

Section 5. Provisions as Cumulative

The provisions of this act shall be cumulative to existing law.

Section 6. Severability

The provisions of this act are severable and if any part of provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

Section 7. Emergency Declared

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this act shall take effect and be in full force after its passage and approval